

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

**COWBOYS FOR TRUMP, LLC,
KARYN K. GRIFFIN, form LLC
member Cowboys for Trump and in her
individual capacity, COUY GRIFFIN
as an LLC Member and in his individual
capacity,**

Plaintiffs,

v.

Case No: 2:20-cv-00587-GJF/SMV

**MAGGIE TOULOUSE OLIVER, in her
official capacity as Secretary of State of
New Mexico,**

Defendant.

PLAINTIFFS' RESPONSE TO ORDER TO SHOW CAUSE [ECF 18]

Plaintiff, Cowboys For Trump, LLC, hereby responds to the Court's Order to Show Cause concerning the response due to the Defendant's Motion for Judgment on the Pleadings [ECF 14]. Starting on October 1, 2020, Plaintiff's counsel, Colin L. Hunter, was to be out of the office for some period of time. On October 6, 2020, Plaintiff's co-counsel, Jordy L. Stern, communicated with Defendant's counsel regarding a fifteen-day extension of time to respond to the Motion for Judgment on the Pleadings. Please see Exhibit A attached. Defendant's counsel did not oppose the extension. Undersigned counsel, however, erred by not taking the additional step of seeking the Court's approval for the fifteen-day extension. Prior to October 16, 2020, the Court had not entered a scheduling order. The new due date, October 21, 2020, will not disturb the dates in the Court's Scheduling Order. No prejudice inures to the Defendant for this extension.

WHEREFORE, Plaintiff requests the Court permit Plaintiff to file the Response on or before October 21, 2020. Plaintiff submits with this Response a proposed Order extending the deadline to October 21, 2020.

Respectfully submitted,

By: /s/ Jordy L. Stern

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*Counsel for Plaintiff Cowboys For
Trump, LLC*



Jordy Stern <jordy@theblf.com>

Cowboys for Trump v. Oliver, No. 20-cv-0587

Bell, Neil <nbell@nmag.gov>

Tue, Oct 6, 2020 at 10:56 AM

To: Jordy Stern <jordy@theblf.com>

Cc: "Green, Amye" <agreen@nmag.gov>, Loretta Baca <LBaca@nmag.gov>, Colin Hunter <colin@theblf.com>, Steven Gonzales <steven@theblf.com>

Mr. Stern,

We agree to your request for a 15-day extension to respond to the Secretary's Motion for Judgment on the Pleadings. We also have the deadline for your response calendared for today, October 6th.

While we are on the subject of deadlines, we have not received your clients' initial disclosures, which were due last Friday, October 2, 2020. Please let me know as soon as possible when you intend to get those to us.

Also, please confirm that you were able to access the Secretary's initial disclosures via the link and password that I sent to you last Friday. As I explained in my email, the link will expire on October 30, 2020.

Thank you,

--Neil

On Tue, Oct 6, 2020 at 9:00 AM Jordy Stern <jordy@theblf.com> wrote:

Dear Counsel,

I'm writing to request a fifteen (15) day extension for filing Cowboys for Trump's Response to the Secretary of State's Motion for Judgment on the Pleadings.

Is that extension agreeable to your office?

Our calendar shows a due date for today. Mr. Hunter has been out of the office since last week.

On Thu, Sep 3, 2020 at 2:27 PM Green, Amye <agreen@nmag.gov> wrote:

Dear Counsel,

The deadline for the Rule 26(f) conference is next Friday. Would you be available to meet and confer on Thursday, September 10th in the afternoon?

Thank you,

Amye G. Green
Assistant Attorney General
New Mexico Office of the Attorney General
408 Galisteo St.
Santa Fe, NM 87501
Office: 505-490-4058
Fax: 505-490-4883

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--

Neil Bell

Assistant Attorney General - Litigation Division

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ORDER GRANTING PLAINTIFF'S REQUEST FOR EXTENSION TO RESPOND

The Court hereby grants Plaintiff's request for an extension of time to respond to Defendant's Motion for Judgment on the Pleadings. The response shall be filed on or before October 21, 2020.

IT IS SO ORDERED.

THE HONORABLE GREGORY J. FOURATT
UNITED STATES MAGISTRATE JUDGE
Presiding by Consent

Respectfully submitted,

The Barnett Law Firm, P.A.

/s/ Jordy L. Stern

Jordy L. Stern

Colin L. Hunter

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